In re Application of:

Harry C. Dietz

Application No.: 09/163,289 Filed: September 29, 1998

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**PATENT** 

## **Amendments to the Claims**

Please amend claim 1 as set forth below. The following listing of claims will replace all prior versions and listings of the claims in the present application:

## **Listing of Claims:**

- 1. (Currently Amended) A nucleic acid construct for suppressing gene expression comprising in 5' to 3' operable orientation:
  - a 5' stem loop structure;
  - an antisense nucleic acid; and
  - a 3' stem loop structure, wherein the antisense nucleic acid suppresses gene expression and is flanked by the stem loop structures and with the proviso that the antisense nucleic acid is not within the 5' or 3' a stem loop structure[[s]] of the construct.
- 2. (Previously Amended) The nucleic acid construct of claim 1, wherein the stem loop structures are U snRNA structures.
- 3. (Original) The nucleic acid construct of claim 2, wherein the U snRNA is U1.
- 4. (Original) The nucleic acid construct of claim 1, further comprising a promoter.
- 5. (Original) The nucleic acid construct of claim 4, wherein the promoter is a U1 snRNA promoter.
- 6. (Original) The nucleic acid construct of claim 4, wherein the promoter is a constitutive promoter.
- 7. (Original) The nucleic acid construct of claim 4, wherein the promoter is an inducible promoter.

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8. (Original) The nucleic acid construct of claim 1, further comprising a ribozyme nucleic acid.

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- 9. (Original) The nucleic acid construct of claim 8, wherein the ribozyme nucleic acid is located between the 5' and 3' stem loop structures.
- 10. (Original) The nucleic acid construct of claim 8, wherein the ribozyme nucleic acid is a hammerhead-type ribozyme.
- 11. (Original) The nucleic acid construct of claim 8, wherein a consensus sequence for ribozyme cleavage in a target nucleic acid is 5'-GUC-3' or 5'-GUA-3'.
- 12. (Original) The nucleic acid construct of claim 1, wherein the antisense nucleic acid is selected from the group consisting of rent-1, HPV E6, HIV, hyaluronic acid synthase, and fibrillin.
- 13. (Previously Amended) A method for suppression of gene expression in a cell comprising administering to the cell *in vitro* a suppressive-effective amount of the nucleic acid construct of claim 1, whereby expression of the gene is suppressed in the cell.
- 14. (Cancelled)
- 15. (Original) The method of claim 13, further comprising administering a modified nucleic acid encoding a wild-type polypeptide corresponding to the gene product of the gene being suppressed, wherein the modified nucleic acid is resistant to ribozyme cleavage and/or antisense inhibition.
- 16. (Previously Presented) A nucleic acid construct of claim 1, wherein the construct comprises SEQ ID NO: 3.